

**BOARD OF COUNTY COMMISSIONERS  
AGENDA ITEM SUMMARY**

Meeting Date: June 15, 2005

Division: County Administrator

Bulk Item: Yes X No       

Department: Fire Rescue

Staff Contact Person: Susan Hover

**AGENDA ITEM WORDING:** Approval of Amendments to Agreements with Key Largo Volunteer Fire Department, Inc. and Key Largo Volunteer Ambulance Corps, Inc. providing a legal basis to disburse funds to volunteer firefighters and EMS providers at increased reimbursement amounts based on achievement of higher training and certification levels in conjunction with credit for emergency response participation, conceptually approved by the board during the FY05 budget process.

**ITEM BACKGROUND:** Currently the volunteer reimbursement program provides members who meet certain minimal criteria for training activities and meetings a flat rate of \$150/month for firefighters, \$225/month for assistant and deputy chiefs and \$300/month for the chief.

A new reimbursement program was designed and approved by the Monroe County Fire Chiefs' Association and subsequently presented to the Board for approval during the Fiscal Year 2005 budget process. The Board appropriated funds and conceptually approved the new program pending research for legal feasibility.

In May of 2004, a memo was sent to Richard Collins, County Attorney, to review issues surrounding the program. In his research of these issues, three were prominent. One considered volunteer stipends and questions about appropriateness of hourly per-call requirements causing the monies to be considered salary, which would bring the certification requirements of FS 633 into play regarding firefighter employees. Also, there was a question as to whether, if certain reimbursement thresholds are met, a volunteer who receives no other income, may be due employee benefits since this reimbursement could be considered his/her sole-source of income. In addition, the loss of tort liability protections for the individual volunteer member was a consideration.

Subsequently, a reimbursement program used by Escambia County was evaluated and deemed applicable to Monroe County's situation with necessary local modifications. In June of 2005, Volunteer Fire & EMS Membership Reimbursement Guidelines were finalized in a 4-page document, Exhibit 1 to Amendment Number 1, Attachment "T", to be attached thereto and incorporated therein the existing service agreements with the volunteer department corporations through an amendment.

**PREVIOUS RELEVANT BOCC ACTION:** The existing service agreements have been amended from time to time since their inception, the earliest being in 1992. During the Fiscal Year 2005 budget process, the Board appropriated funds and conceptually approved a new reimbursement rate program for volunteer firefighters and EMS providers pending research for legal feasibility.

**CONTRACT/AGREEMENT CHANGES: TERM OF AGREEMENT:** The effective date of these Amendments is October 1, 2004 and shall continue on a month-to-month basis pending execution of new service agreements. VOLUNTEER PERSONNEL REIMBURSEMENT EXPENSES ALLOWANCE: Delete entire contents of this section, which provided for a flat rate reimbursement, and replace with 4-page Attachment "T" providing increased reimbursement amounts based on achievement of higher training and certification levels in conjunction with credit for emergency response participation.

**STAFF RECOMMENDATIONS:** Approval.

**TOTAL COST:** \$ 595,600.00 (increase of \$274,500.00)

**BUDGETED:** Yes X No       

**DISTRICT 6:** \$ 220,200.00 (increase of \$104,500.00)

146-12500-530340 & 146-13002-530340

**DISTRICT 1:** \$ 375,400.00 (increase of \$170,000.00)

141-11500-530340

**COST TO COUNTY:** \$ 595,600.00

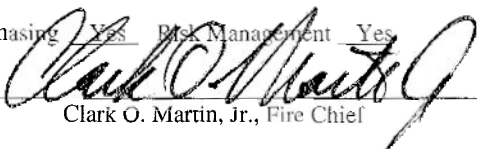
**SOURCE OF FUNDS:** Ad valorem taxes

**REVENUE PRODUCING:** Yes        No X

**AMOUNT PER MONTH**        **Year**       

**APPROVED BY:** County Atty Yes OMB/Purchasing Yes Risk Management Yes

**DIVISION DIRECTOR APPROVAL:**

  
Clark O. Martin, Jr., Fire Chief

**DOCUMENTATION:** Included X Not Required       

**DISPOSITION:**       

**AGENDA ITEM #**

# BOARD OF COUNTY COMMISSIONERS

## CONTRACT SUMMARY

Contract #

Contract with: Key Largo Volunteer Fire Department, Inc. and Key Largo Volunteer Ambulance Corps, Inc.

Effective Date: 10/1/04

Expiration Date: ongoing

Contract Purpose/Description: Amendments to Agreements providing a legal basis to disburse funds to volunteer firefighters and EMS providers at increased reimbursement amounts based on achievement of higher training and certification levels in conjunction with credit for emergency response participation, conceptually approved by the board during the FY05 budget process.

Contract Manager: Susan Hover  
(Name)

6088  
(Ext.)

Fire Rescue  
(Department)

for BOCC meeting on 06/15/05

Agenda Deadline: 05/31/05

## CONTRACT COSTS

Total Dollar Value of Contract: \$not to exceed  
budgeted amount.

Current Year Portion: \$not to exceed  
budgeted amount.

Budgeted? Yes ☒ No ☐

Account Codes: 146-12500-530-340- - - -

Grant: \$           

146-13002-530-340- - - -

County Match: \$           

          - - - - -

          - - - - -

## ADDITIONAL COSTS

Estimated Ongoing Costs: \$           /yr  
(Not included in dollar value above)

For:             
(eg. maintenance, utilities, janitorial, salaries, etc.)

## CONTRACT REVIEW

	Date In	Changes Needed	Reviewer	Date Out
Division Director	<u>6-10-05</u>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	<u>Clark M. Harts</u>	<u>6-10-05</u>
Risk Management	<u>6-9-05</u>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	<u>M. Slawson</u>	<u>6-9-05</u>
O.M.B./Purchasing	<u>6-9-05</u>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	<u>Salvatore</u>	<u>6/9/05</u>
County Attorney	<u>6-9-05</u>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	<u>J. M. Grimsley</u>	<u>6-9-05</u>

Comments:

AMENDMENT NUMBER 1  
TO THE AGREEMENT  
BETWEEN  
THE BOARD OF COUNTY COMMISSIONERS  
OF MONROE COUNTY  
AND  
KEY LARGO VOLUNTEER FIRE DEPARTMENT, INC.

This Amendment Number 1 is made and entered into this \_\_\_\_ day of \_\_\_\_\_, 2005, by and between the Board of County Commissioners of Monroe County, Florida, acting as the governing board for the Municipal Services Taxing District 6, hereinafter referred to as "District", and Key Largo Volunteer Fire Department, Inc., hereinafter referred to as "Corporation".

WITNESSETH:

WHEREAS, District and Corporation entered into an Agreement dated October 7, 1992 for the provision of fire protection services by Corporation, hereinafter "Agreement"; and

WHEREAS, the term of the Agreement has expired and both parties have previously agreed to continue the provisions of the Agreement on a month to month basis; and

WHEREAS, the parties desire to amend the Agreement to change the flat rate method of reimbursement to the Corporation in order to recognize higher levels of training and certification of the persons serving the Corporation and to encourage response by emergency service personnel; and

WHEREAS, this new formula for reimbursement is in the best interests of the public by providing and encouraging high quality fire protection throughout the district;

NOW, THEREFORE, the parties agree as follows:

1. The foregoing provisions are included as if fully set forth herein.
2. Section 15 of the Agreement providing for a flat rate reimbursement is deleted in its entirety.
3. Exhibit 1, attached hereto and incorporated herein by reference to this Amendment Number 1, provides for guidelines, criteria and new reimbursement amounts. Exhibit 1 shall be Attachment "T" to the Agreement, and shall govern reimbursement by District to Corporation.
4. The provisions of Exhibit 1, Attachment "T", shall be retroactive to October 1, 2004, and the Corporation shall be reimbursed by District accordingly.

5. The provisions of Exhibit 1, Attachment "T", in Paragraphs III.B.1, III.C.3. and III.D.3. shall be waived in regard to Corporation's reimbursement for October 1, 2004, through June 30, 2005, and District shall reimburse Corporation pursuant to the other provisions of Exhibit 1, Attachment "T".

6. In all other respects, the Agreement between the parties dated October 7, 1992, remains in full force and effect.

IN WITNESS WHEREOF, the parties have executed this agreement the day and year first written above.

(SEAL)

ATTEST: DANNY L. KOHLAGE, CLERK

BOARD OF COUNTY COMMISSIONERS  
MUNICIPAL SERVICES TAXING  
DISTRICT 6

\_\_\_\_\_  
Deputy Clerk

\_\_\_\_\_  
Mayor/Chairman

(SEAL)

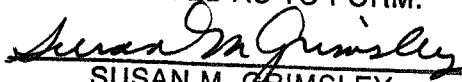
ATTEST:

KEY LARGO VOLUNTEER FIRE  
DEPARTMENT, INC.

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
President

MONROE COUNTY ATTORNEY  
APPROVED AS TO FORM:

  
SUSAN M. GRIMSLEY  
ASSISTANT COUNTY ATTORNEY

**AMENDMENT NUMBER 1  
TO THE AGREEMENT  
BETWEEN  
THE BOARD OF COUNTY COMMISSIONERS  
OF MONROE COUNTY  
AND  
KEY LARGO VOLUNTEER AMBULANCE CORPS, INC.**

This Amendment Number 1 is made and entered into this \_\_\_\_ day of \_\_\_\_\_, 2005, by and between the Board of County Commissioners of Monroe County, Florida, acting as the governing board for the Municipal Services Taxing District 6, hereinafter referred to as "District", and Key Largo Volunteer Ambulance Corps, Inc., hereinafter referred to as "Corporation".

**WITNESSETH:**

WHEREAS, District and Corporation entered into an Agreement dated September 17, 1997 for the provision of advanced life support ambulance services by Corporation, hereinafter "Agreement"; and

WHEREAS, the term of the Agreement has expired and both parties have previously agreed to continue the provisions of the Agreement on a month to month basis; and

WHEREAS, the parties desire to amend the Agreement to change the flat rate method of reimbursement to the Corporation in order to recognize higher levels of training and certification of the persons serving the Corporation and to encourage response by emergency service personnel; and

WHEREAS, this new formula for reimbursement is in the best interests of the public by providing and encouraging high quality advanced life support ambulance services throughout the district;

NOW, THEREFORE, the parties agree as follows:

1. The foregoing provisions are included as if fully set forth herein.
2. Section 4 of the Agreement providing for a flat rate reimbursement is deleted in its entirety.
3. Exhibit 1, attached hereto and incorporated herein by reference to this Amendment Number 1, provides for guidelines, criteria and new reimbursement amounts. Exhibit 1 shall be Attachment "I" to the Agreement, and shall govern reimbursement by District to Corporation.

4. The provisions of Exhibit 1, Attachment "I", shall be retroactive to October 1, 2004, and the Corporation shall be reimbursed by District accordingly.

5. The provisions of Exhibit 1, Attachment "I", in Paragraphs III.B.1, III.C.3. and III.D.3. shall be waived in regard to Corporation's reimbursement for October 1, 2004, through June 30, 2005, and District shall reimburse Corporation pursuant to the other provisions of Exhibit 1, Attachment "I".

6. In all other respects, the Agreement between the parties dated September 17, 1997, remains in full force and effect.

IN WITNESS WHEREOF, the parties have executed this agreement the day and year first written above.

(SEAL)

ATTEST: DANNY L. KOHLAGE, CLERK

BOARD OF COUNTY COMMISSIONERS  
MUNICIPAL SERVICES TAXING  
DISTRICT 6

\_\_\_\_\_  
Deputy Clerk

\_\_\_\_\_  
Mayor/Chairman

(SEAL)


ATTEST:

KEY LARGO VOLUNTEER  
AMBULANCE CORPS, INC.

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
President

MONROE COUNTY ATTORNEY  
APPROVED AS TO FORM:

  
SUSAN M. GRIMSLEY  
ASSISTANT COUNTY ATTORNEY

**EXHIBIT 1 TO AMENDMENT NUMBER 1**  
**ATTACHMENT "I"**  
**Volunteer Fire & EMS Membership Reimbursement Guidelines**  
**Monroe County, Florida**

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**I. INTENT:**

- A. To define the criteria and process for the disbursement of stipends to the active volunteer firefighters and emergency medical services providers serving unincorporated Monroe County, Florida.

**II. PURPOSE:**

- A. To help to reimburse volunteer fire and EMS personnel for expenses incurred as a result of their participation in their respective volunteer fire or EMS organizations.
- B. The volunteer reimbursement system will provide incentives for individuals who choose to increase their training, participation or rank/position within the volunteer fire or EMS organization. It will also assist in the recruitment and retention of volunteers.

**III. GENERAL GUIDELINES AND PROGRAM CRITERIA:**

**A. FUNDING:**

- 1. Funding of this reimbursement/stipend program is based on an annual appropriation from the Monroe County Board of County Commissioners. The funding level is currently set at \$375,400 in MSTD 1 and \$220,200 in MSTD 6. The individual corporations are responsible for administering the reimbursement/stipend program within the guidelines established by this attachment. There shall be no additional reimbursement provided once funding is exhausted in that corporation's budget.
- 2. The Chief serving each corporation shall verify compliance with the requirements of this agreement.

**B. RELATIONSHIP:**

- 1. The relationship of the County to the individual volunteer firefighter or EMS provider is non-existent for the purposes of this reimbursement/stipend program and the county has no employer responsibility. The relationship between the individual volunteer firefighter or EMS provider and his/her volunteer fire or EMS department is established in the *Agreement of Understanding Between the Individual Volunteer Firefighter or EMS Provider and the Fire Department or Ambulance Corps*.

**C. ELIGIBILITY:**

- 1. Must be a full member (not a probationary member) in good standing with a Volunteer Fire or EMS Department.

**EXHIBIT 1 TO AMENDMENT NUMBER 1**  
**ATTACHMENT "I"**  
**Volunteer Fire & EMS Membership Reimbursement Guidelines**  
**Monroe County, Florida**

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2. Must maintain the position of active combat firefighter, state-certified emergency medical services provider, support personnel or administrative/technical personnel.
3. Shall have executed an *Agreement of Understanding Between the Individual Volunteer Firefighter or EMS Provider and the Fire Department or Ambulance Corps*.

**D. MINIMAL REQUIREMENTS:**

1. Must attend two (2) training meetings per month or be excused from training by the volunteer fire or EMS chief.
2. Must meet the minimum percentage of calls per month based on years of service/seniority. NOTE: Station shifts count toward the total number of calls required.
3. Within the previous twelve months, must have attended at least two periodic training sessions at the Joe London Fire Training Facility or any other training opportunity found acceptable by the Monroe County Fire Rescue Training Bureau.

**E. CRITERIA:**

1. **BASE REIMBURSEMENT:** Members meeting the minimal requirements will be eligible to receive a monthly base reimbursement dependent upon position and qualifications and rank at the schedule indicated herein:

<b>Position &amp; Qualifications</b>	<b>Base</b>	<b>Per Call</b>	<b>Maximum Monthly</b>
Rookie FF, Support & Administrative Personnel	75	10	500
Driver-Engineer*, Extrication Specialist*, Technical Rescue Specialist*	125	10	750
Firefighter I or EMT-B*	150	10	750
Firefighter II or EMT-P*	175	15	750
Lieutenant, state FFI certified	175	20	850
Captain, state FFI certified	200	20	850
Lieutenant, state FFII certified	250	20	850
Captain, state FFII certified	275	20	850
Assistant Chief**	300	20	950
Deputy Chief**	325	20	950
Chief**	400	20	1000

\* non-state-fire certified

\*\* must be state FFI certified, at minimum



**EXHIBIT 1 TO AMENDMENT NUMBER 1**  
**ATTACHMENT "I"**  
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**Monroe County, Florida**

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2. **ADDITIONAL REIMBURSEMENT:** Additional reimbursement will be added to the base reimbursement amount for each of the additional qualifications or certifications possessed by the individual at the schedule indicated herein:

<b>Additional Qualifications of State-Certified Firefighters</b>	<b>Add to Base</b>
Driver Engineer	15
Advanced Extrication	15
EMT or Greater	15
HAZ. Mat Technician	15
Technical Rescue (i.e. Dive Rescue or Advanced Rope Rescue)	15
Board Member	25

3. **CALL CREDITS:**

- a. Members qualifying for reimbursement will also be reimbursed an amount equivalent to one call credit for each approved detail up to six (6) hours with a maximum of 2 details per day. Example of an approved special detail would be a fire prevention/education detail performed at a local school.
- b. State-certified personnel shall be eligible for one call credit for each six consecutive hours' duty shift spent at the station, available for immediate response, during which time no dispatch and response was made, up to 4 duty credits per 24 hours.
- c. In order to receive any reimbursement, members must respond to a minimum percentage of the total number of calls to which his/her department has been dispatched. That required percentage is indicated in this table:

<b>Years of Service</b>	<b>Percentage of Calls Required</b>
Up to 10 years	35%
From 11 - 15 years	30%
From 16 - 20 years	25%
From 21 - 25 years	20%
From 26 - 30 years	15%
Over 30 years	10%

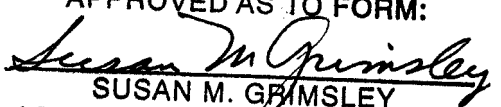
4. **FUNDING LIMITATIONS AND RECORD KEEPING:**

- a. The total reimbursement disbursed to each department yearly shall not exceed the annual budgeted amount as determined by the Monroe County Board of County Commissioners.

**EXHIBIT 1 TO AMENDMENT NUMBER 1**  
**ATTACHMENT "I"**  
**Volunteer Fire & EMS Membership Reimbursement Guidelines**  
**Monroe County, Florida**

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- b. Total monthly reimbursement amount available to each volunteer department will be determined by dividing their respective annual volunteer reimbursement budget amount by 12.
- c. Each volunteer department will prepare and submit a request for volunteer reimbursement to Monroe County Fire Rescue Headquarters using the Volunteer Department Roster & Reimbursement Request form (MCFRF-021) specified for each month of the year not to exceed their one-twelfth of the annual allocation to that corporation. Reimbursement will be disbursed to the qualifying volunteers in order of seniority. In all cases preference shall be given to reimbursement of eligible state-fire-certified members who qualify for reimbursement for any month. Budgeted monthly reimbursement dollars not disbursed will "roll-over" and be available for the next month's request.
- d. Each volunteer department corporation will be responsible for keeping monthly records specifying each member's qualifications, participation and total amount of reimbursement received. These records must be available and may be subject to audit.

MONROE COUNTY ATTORNEY  
APPROVED AS TO FORM:  
  
SUSAN M. GRIMSLEY  
ASSISTANT COUNTY ATTORNEY